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Attorneys for Plaintiffs,  
SCOTT LARSEN and DEBBIE LARSEN

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA, IN ADMIRALITY

|                                 |   |                                       |
|---------------------------------|---|---------------------------------------|
| In the matter of the Complaint  | ) | Case No.: 2:21-cv-00390 JAM AC        |
| of SCOTT LARSEN and DEBBIE      | ) |                                       |
| LARSEN, owners, for exoneration | ) | <b>ORDER DIRECTING ISSUANCE OF</b>    |
| from, or limitation of,         | ) | <b>MONITION AND INJUNCTION;</b>       |
| liability,                      | ) | <b>ISSUING NOTICE; AND, APPROVING</b> |
|                                 | ) | <b>AD INTERIM STIPULATION FOR</b>     |
| Plaintiffs.                     | ) | <b>VALUE</b>                          |
|                                 | ) |                                       |
|                                 | ) | [Federal Rule of Civil                |
|                                 | ) | Procedure Supplemental Rules F]       |
|                                 | ) |                                       |
|                                 | ) | Admiralty & Maritime Claim            |

WHEREAS a complaint was filed in this court by Plaintiffs SCOTT LARSEN and DEBBIE LARSEN ("Plaintiffs"), on March 1, 2021, as owners of the vessel, SWEET EMOTION, (the "Vessel"), official number USCG Doc. #1280853, and plaintiffs are seeking exoneration from, or limitation of, liability as provided for by statute, for all losses, injuries, damages, and deaths resulting or arising from the fire on September 14, 2020; and,

WHEREAS appearing from the Plaintiffs' complaint due to the fire on September 14, 2020, the Vessel burned and sunk, reducing the Vessel's value to scrap with a current salvage value that does not exceed \$123.50 due to the existing demand for scrap metal and that claims may be asserted against the

1 Plaintiffs for loss, injuries, damage, or death, and that said  
2 claims are subject to limitation in the action now on file in  
3 this Court; and,

4 WHEREAS an *Ad Interim* Stipulation for Value was executed  
5 and filed by Plaintiffs in the amount of \$123.50 with interest  
6 at six percent (6%) per annum, as security for the amount or  
7 value of the Plaintiffs' interest in the Vessel, if any;

8 **IT IS HEREBY ORDERED** that the above-described *Ad Interim*  
9 Stipulation for Value deposited by the Plaintiffs with the  
10 Court for the benefit of claimants, in the sum of \$123.50 with  
11 interest at six percent (6%) per annum, as security for the  
12 amount or value of the Plaintiffs' interest in the Vessel, if  
13 any, is hereby approved;

14 **IT IS HEREBY ORDERED** that a notice and monition hereby  
15 issues out of, and under the seal of, this Court to and against  
16 all persons and entities claiming losses, damages, injuries, or  
17 death resulting or arising from the subject fire of Sweet  
18 Emotion on September 14, 2020, admonishing them to appear and  
19 file their respective claims and answers with the Clerk of this  
20 Court on or before 30 days after the filing of this Order, and  
21 to make due proof of their respective claims in such manner as  
22 may hereinafter be directed by further order of this Court,  
23 with liberty to any claimants who have duly filed their claims  
24 to answer the Plaintiffs' Complaint and to file such answer  
25 with the Clerk of this Court on or before the date specified  
26 above at U.S. District Court, Eastern District of California,  
27 501 I Street, Sacramento, CA 95814, and serve on or mail a copy  
28 thereof to Plaintiffs' attorneys, Powers Miller, 3500 Douglas

1 Blvd. Suite 100, Roseville CA 95661, Attn: John P.  
2 Sciacca/Katherine L. Marlink, or be DEFAULTED AND FOREVER  
3 BARRED;

4 **IT IS HEREBY ORDERED** that the Plaintiffs shall give public  
5 notice of said monition pursuant to Federal Rules of Civil  
6 Procedure, Supplemental Rule F(4) for Certain Admiralty and  
7 Maritime Claims, by causing such notice to be published in a  
8 newspaper of general circulation in Sacramento, California,  
9 once per week for four consecutive weeks prior to the deadline  
10 set out above for the filing of claims. The form of the notice  
11 shall conform substantially with the Notice to Claimants of  
12 Limitation of Liability Action and notice for publication  
13 concurrently submitted by the Plaintiffs, and included in their  
14 pleadings, and is approved by this Court; and,

15 **IT IS FURTHER ORDERED** that not later than the date of the  
16 second publication of said notice, the Plaintiffs shall mail a  
17 copy of said notice to every person and entity known to have  
18 made any outstanding claim against the Plaintiffs or the Vessel  
19 arising from the subject voyage; and,

20 **IT IS FURTHER ORDERED** that the institution or prosecution  
21 of any suit, action, or other legal or administrative  
22 proceeding of any nature in any venue (outside these  
23 proceedings) against the Plaintiffs and/or the Sweet Emotion,  
24 regarding any claim resulting or arising from the subject fire  
25 ARE HEREBY ENJOINED, STAYED, AND RESTRAINED, said injunction to  
26 remain in effect until the determination of this action in this  
27 Court; and,

28 **IT IS FURTHER ORDERED** that service of this order as an

1 Injunction shall be made by delivering a certified copy hereof  
2 to the person or persons to be enjoined, or to their respective  
3 attorneys or representatives.

4 **SO ORDERED** this 8<sup>th</sup> day of March, 2021 at Sacramento,  
5 California.

6  
7 /s/ John A. Mendez

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THE HONORABLE JOHN A. MENDEZ  
9 UNITED STATES DISTRICT COURT JUDGE  
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